

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :  
 :  
 :  
 v. :  
 :  
 SERGEY ALEJNIKOV, :  
 :  
 Defendant. :  
 :  
----- X

10 CR. 0096 (DLC)  
ECF Case

**NOTICE OF MOTION  
FOR RELEASE PENDING APPEAL,  
SELF-SURRENDER AND A STAY OF  
SENTENCE OF IMPRISONMENT**

**Oral Argument Requested**


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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Declaration of Kevin H. Marino submitted in support of this motion, defendant Sergey Aleynikov (“Aleynikov”) will move before the Honorable Denise L. Cote, United States District Judge, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at such date and time as determined by the Court, for entry of an Order granting Aleynikov bail pending appeal from his judgment of conviction pursuant to 18 U.S.C. § 1343(b), permitting him to self surrender to a designated correctional institution in the event of a custodial sentence, and staying his sentence of imprisonment pursuant to Rule 38(b)(1) of the Federal Rules of Criminal Procedure. Aleynikov respectfully requests oral argument on this Motion.

Dated: March 18, 2011  
Chatham, New Jersey

Respectfully submitted,

MARINO, TORTORELLA & BOYLE, P.C.

By:   
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